

Application No. 09/888,554

Amendment Dated November 20, 2009

Reply to Notice of Non-Compliant Amendment mailed October 30, 2009

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended)

Claim 2 (withdrawn) see remarks

Claim 3 (withdrawn) see remarks

Claim 4 (currently amended)

Claim 5 (currently amended)

Claim 6 (new)

Claim 7 (new)

Claim 8 (new)

Claim 1. (currently amended): A retail check out counter product purchase and customer placement divider containing interactive electronic components, retail product purchase functions, checkout-counter functions, wireless weights and scale functions, wireless capabilities using several present methods to communicate with the divider management computer and store register computer and register system, card reading capability for present and evolving technology card types, bar code scanning capabilities, interactive with cell phone technology and networks, customer interactive audio and video interactive touch screen or other form of data import and interaction component, ability to generate scalable bar codes on the display, Internet capabilities for data management, virtually and remotely programmable from anywhere for advertising, runs on a renewable power source as technology develops, virtual wireless divider maintenance, sending and receiving real time data, changing divider programming, capability to collect virtual data, audio and video management, connects with a store register, store data computer and in store divider management computer and acts and is identified as a single unit containing a unique identification code programmed into the software product purchase and acting as a retail multifunction store customer transaction divider comprising:

- a) An elongated hollow body having sidewalls, having access openings, the interior being adapted to receive any type or multitude of modified customer interactive and store interactive electronic components. Any electronic component or electronic supporting part can be install to complete any variations of the electronic divider.
- b) The checkout counter divider will be located at the point of purchase counter and replace non-electronic counter checkout dividers offering a multitude of [[with]] new and improved customer interactive electronic checkout counter dividers.
- c) The checkout counter divider contains customer and store interactive electronics and software to perform advertising, marketing and retail functions. The electronics, software and components will be comprised from standard off the shelf parts. The software will contain unique programming as to the checkout dividers installed components.
- d) The checkout counter divider can vary in size and shape to accommodate the checkout counter size requirements and various types of electronic components inserted.

Claims 2-3 (withdrawn) see "Errors" Statement form PTO/SB/51S included in this amendment and exploitation in the Remarks section of this application.

Claim 4. (currently amended): A retail check out counter product purchase and customer placement divider according to claim 1; wherein the checkout counter divider electronics contains a two-way wireless communication system for wireless communication of customer input and returned file data information generated from an in store checkout counter divider management computer. The checkout counter divider will have a unique individual identification software and electronic assembly unit number for remote identification, tracking donations, sales transactions, store register computer interaction and advertising management. Each checkout divider will have an individual Identification number contained in the software programming for remote identification, data collection or programming.

The checkout counter divider management computer will be located in the store and be connected to a wireless transmitter and receiver system and also be connected to the internet or wireless cell phone network, checkout counter divider management computer and interact with the in store register computer, product and customer data files to perform processing of a transaction. The checkout counter dividers will be capable of various options of charity donations, display remotely generated advertising, perform sales transactions, bar code scan discount coupons or customer store cards and transmit or generate product coupons. The checkout counter dividers can be managed, read, programmed and controlled remotely by way of the Internet, wireless phone service and they are controlled by the checkout counter divider management computer. The checkout counter divider will have a unique individual identification software and electronic assembly unit number for remote identification, tracking donations, sales transactions, store register computer interaction, individual programming and advertising management.

- a) The host checkout dividers computer will communicate with the store point of purchase register computer and files to send and receive any customer transaction files, process charity donations, generate advertising and receive, transmit or generate product coupons.
- b) Advertising can be sent in real time to the checkout dividers and displayed on the visual component by way of the Internet or a wireless phone network and interact with the in store checkout divider computer.
- c) Unique identification number included in the divider software and physically on the checkout divider electronic insert will identify the dividers. This will allow remote sorting of the individual checkout dividers for targeted advertising programming and transaction data management.

Claim 5. (currently amended): A retail check out counter product purchase and customer placement divider according to claim 1; wherein the checkout counter divider management computer will be located in the store and be connected to a wireless transmitter and receiver system and also be connected to the internet or wireless cell phone network, checkout counter divider management computer and interact with the in store register computer, product and customer data files to perform processing of the transaction. The checkout counter dividers will be capable of various options of charity donations, display remotely generated advertising, perform sales transactions, bar code scan discount coupons or customer store cards and transmit or generate product coupons. The checkout counter dividers can be managed, read, programmed and controlled remotely by way of the Internet, wireless phone service and controlled by the checkout counter divider management computer.

Claim 6. (new): A retail check out counter product purchase and customer placement divider according to claim 1; wherein the checkout counter divider will include a variation of video LCD display that is touch interactive by the store customer and contain individual checkout counter divider software. The display will be capable of producing a unique bar code that is scan able by existing store bar code scanner systems with the checkout counter divider interacting with the store point of purchase and register file system computer. The LCD will display interactive advertising and customer interactive transaction functions.

- a) Variations can be produced with touch keys and other types of data entry components.
Variations can be produced to enable certain data entry functions and data criteria as the stores may require.
- b) A variation may contain the capability to interact with wireless weights and scales.
- c) A variation may be included in a check out system using weights; scales interacting with any customer accumulated sales data input.

Claim 7. (new): A retail check out counter product purchase and customer placement divider according to claim 1; wherein a retail checkout-counter product purchase divider according to claim 1; wherein the electronic components and software will consist of off the shelf components assembled to interact with the customer using wireless communication systems, checkout-counter divider computer in store management system, store checkout data point of purchase register network computer system and connect with the internet or wireless phone communication network.

- a) The checkout counter divider can contain verifications of customer and store interactive electronics and software to perform advertising, sales, marketing and retail functions.
- b) The checkout counter divider may very containing minimal and maximum components, varied data entry components, varied visual display components, transaction notification alert, bar code scanner, store or merchant card swipe component and components as the store may require.
- c) The checkout counter divider may interact with a store check out counter register or counter remote display.

Claim 8. (new) A retail check out counter product purchase and customer placement divider according to claim 1; wherein a retail checkout-counter product purchase divider according to claim 1; The checkout divider will transmit wirelessly using existing wireless communication technology systems to and from a store host computer solely devoted to the checkout dividers management and tracking.

- d) The host checkout dividers computer will communicate with the store point of purchase register computer and files to send and receive any customer transaction files, process charity donations, generate advertising and receive, transmit or generate product coupons.
- e) Advertising can be sent in real time to the checkout dividers and displayed on the visual component by way of the Internet or a wireless phone network and interact with the in store checkout divider computer.
- f) Unique identification number included in the divider software and physically on the checkout divider electronic insert will identify the dividers. This will allow remote sorting of the individual checkout dividers for targeted advertising programming and transaction data management.

Amendments to References Cited Addition:

References Cited: (new) New references for establishing the checkout counter divider as a unique device (in reference to the Office Action Notice dated 10/3/2003 containing an enclosed detailed action notice. This sets precedence that the checkout counter divider is used for a specific purpose as documented by the following cited Granted patents. Please amend these references to the present references of this Amended Patent Application and original Non-Provisional Application (6/24/2001) as a continuation.

4,537,126	Aug 13, 1985	Gilman	40/19, 40/10
5,933,994	Aug 10, 1999	Misraresh	40/649, 40/661
7,284,347 B2	Oct 23, 2007	Rodrigues	40/661